

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SALVATORE J. GRECO,

Plaintiff,

-against-

CITY OF NEW YORK et al.,

Defendants.

**DEFENDANTS' NOTICE OF  
MOTION TO DISMISS THE  
SECOND AMENDED  
COMPLAINT**

22 CV 5109 (FB)(VMS)

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**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Second Amended Complaint, dated April 20, 2023, the Declaration of Andrea O'Connor in Support of Defendants' Motion to Dismiss the Second Amended Complaint, dated April 20, 2023, and the exhibits annexed thereto, and all the papers and proceedings previously had herein, the undersigned will move this Court, before the Honorable Frederic Block, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza E, Brooklyn, NY 11201, on a date and time to be determined by the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Second Amended Complaint in its' entirety on the ground that, as a matter of law, the Second Amended Complaint fails to adequately state a claim upon which relief can be granted and for further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE THAT**, pursuant to the briefing schedule so-ordered by the Court, answering papers, if any, must be served by on or before May 19, 2023, and reply papers, if any, must be served by on or before June 9, 2023.

Dated: New York, New York  
April 20, 2023

**HON. SYLVIA O. HINDS-RADIX**

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City of New York  
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By:   
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Andrea O'Connor  
Assistant Corporation Counsel

TO: Eric Sanders (via email and first class mail)  
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New York, NY 10005

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***HON. SYLVIA O. HINDS-RADIX***

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*New York, N.Y. 10007*

*Of Counsel: Andrea O'Connor*

*Tel: (212) 356-4015*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 20.....*

*....., Esq.*

*Attorney for.....*